

## Supplement Revisions Following Public Comment

The Department of Health Services (Department) as a result of an internal review proposes to amend proposed Section 64442(b)(3), (b)(3)(B), (d)(3), and (f) to ensure that the terminology used in the requirements is technically correct from an analytical laboratory's perspective and, thus, has greater clarity for implementation and compliance purposes.

In its initial proposal for the radium monitoring and MCL compliance requirements for community water systems (CWS) and nontransient-noncommunity water systems (NTNC), the Department used the terms "combined" and "total" with the intention of delineating and clarifying the different requirements for these two categories of systems. However, the terminology as proposed would have been potentially confusing to laboratories in that "total radium" is an analytical approach used to measure only alpha emitting radium nuclides (Ra-223, Ra-224, and Ra-226). Although "total radium" is used under the existing radionuclide requirements for determining compliance with the radium MCL of 5 pCi/L, it does not actually measure the Ra-228 nuclide. Combined radium is the term used to indicate that Ra-226 and Ra-228 results derived from two independent methods have been added together to determine compliance. CWS are required to monitor for and comply with the combined radium MCL by measuring both Ra-226 and Ra-228 separately, whereas NTNC are required to use the total radium analytical approach to determine compliance with the combined radium MCL (consistent with the existing requirement for CWS). The Department believes that the text corrections in Section 64442(b)(3) and (b)(3)(B) would clarify the requirements.

The DLR in Section 64442(d)(3) has been deleted because combined radium, as noted above, is measured with two different methods, each with a DLR of 1 pCi/L; the inclusion of a DLR of 2 pCi/L was potentially confusing, since the DLRs for each radium nuclide are included in Table 64442.

The provision related to the confidence interval in Section 64442(f) has been reframed for clarity.

As the result of public comment, the Department proposes to amend Section 64443(b)(3), (c)(2), and (d) for conformance with the federal regulatory requirements [Federal Register 65(236), specifically, Sections 141.26(b)(1)(i), (b)(2)(iv), and (b)(5)]. In rewriting the federal regulations to adopt them into the state regulations, the Department inadvertently misstated the federal requirements; the amendments to the proposed regulations would correct this error by clarifying that there are two different screening levels used to determine subsequent monitoring requirements.